

IN THE SENATE OF THE UNITED STATES.

MAY 11, 1858.—Ordered to be printed.

Mr. POLK made the following

REPORT.

[To accompany Bill S. 330.]

The Committee on Claims, to whom was referred the claim of Stephen R. Rowan, after mature consideration thereof, beg leave to report:

That prior and down to the 29th of May, A. D. 1845, said Rowan was receiver of public moneys in the land office at Shawneetown, Illinois. In pursuance of an order of the Secretary of the Treasury, on the evening of the 26th of May, of said year, he embarked on board the steamer New World, at Shawneetown, bound from New Orleans to Cincinnati, for the purpose of depositing the public moneys in his possession in the Louisville Savings Institution at Louisville, Kentucky, taking said moneys with him—the money consisted of silver and gold. The silver was in boxes and the gold in his trunk. The gold was in ten parcels wrapped securely in paper and sealed. Four of these parcels contained \$700 each, two of them \$500 each, one \$400, another \$200, another \$195, and the other one \$46 80. They were carefully stowed in the trunk, which was of leather. On his going on board the steamer Mr. Rowan applied to the clerk to take charge of the money. This he declined to do, saying that he had no lock upon his office. Rowan then deposited the money in his state room and kept in sight of it all the way up to Louisville. The boat arrived at Louisville in the night, and, being behind time, the captain notified the passengers intending to debark at Louisville that they could have only ten minutes to get on shore. Rowan went ashore immediately and as speedily as possible to get a hack to take himself and his trunk and boxes up to the bank. Being alone, he was compelled to cease his watch upon his trunk and boxes whilst absent in procuring a hack. In about five minutes he returned, got the boxes and trunk, and drove up to the hotel in which the president of the bank boarded; sent in for him, took him into the hack, and went with him round to the bank, where they deposited the trunk and boxes in the vault, and after locking them up left them there for the night. The next morning they proceeded to count the money, when they discovered that six of the parcels of gold, containing

\$2,341 80, were missing, to wit: one of the \$700 parcels, the two \$500 parcels, the \$400 parcel, the \$195 parcel, and the \$46 80 parcel. On examination of the trunk it was found that it had been cut with a sharp instrument and the bundles abstracted. Mr. Rowan immediately proceeded to Cincinnati to try to find out something further about the theft, and, if possible, to secure the thieves. He learned, from the clerk, that a couple of men of very bad character, who had come on board the boat at New Orleans, escaped from it at Louisville without paying their passage; and that they had probably robbed the trunk and stolen the gold. Mr. Rowan offered a reward of \$500 for the recovery of the money, and a quarter section of good land for the apprehension of the thieves. But all his efforts to regain the money or apprehend the thieves were unavailing. The silver was safe and untouched.

Mr. Rowan had often before taken the public money from Shawneetown to Louisville in large amounts, but had never met with any loss previous to this occasion, although he was not more careful than on the trip of the robbery. Indeed, your committee think he was as careful of the treasure in his charge as he knew how to be. His character for truth and honesty was shown to be irreproachable. Mr. Rowan gave timely notice of the larceny to the Secretary of the Treasury, honorable A. J. Walker, and also to General Shields, Commissioner of the General Land Office; and in May, 1846, with the concurrence of these officers, he presented his petition to Congress for relief. The case came into the hands of Judge Pennybacker, a member of the Senate, who died before he had reported upon it. The papers went into the files of the Senate, and remained there until quite recently.

On the 27th of August, 1845, Mr. Rowan's account was settled at the Treasury Department, and a balance of \$2,386 83 was struck against him. On the 7th of March, 1856, his account was again stated, and he was charged interest on the above balance, from the 7th of August, 1845, to the last named date, amounting to \$1,369 73, and making, together with the principal, the sum of \$3,756 56. At this date it was found that there was a balance of \$216 14 due by the United States to Mr. Rowan on another account. This amount was deducted by the Comptroller from the above sum of \$3,756 56, and a balance of \$3,540 42 was shown against Mr. Rowan. But while the accounting officer of the treasury charged interest against Mr. Rowan on the balance of \$2,386 83 in favor of the United States, he allowed no interest against the United States on the balance of \$216 14 in favor of Mr. Rowan. On the balance, as last shown above, suit was instituted against Mr. Rowan and judgment taken, with stay of execution for one year, at the June term, 1856, of the United States district court for the southern district of Illinois. The judgment was entered for debt as principal, not in the sum of \$3,540 42, the balance shown as above stated, after deducting the \$216 14, but for the whole sum of \$3,756 56, without deducting the \$216 14, and for interest on the above stated principal, amounting to \$284 91, also for \$39 50 costs of suit.

Thus, while on the one hand the United States got judgment for interest on interest, on the other hand, not only was all interest re-

fused to Mr. Rowan on the balance found to be due him, but even that balance was not allowed him.

On the whole case, your committee think that satisfaction ought to be entered on the aforesaid judgment against Mr. Rowan, on his paying all the costs, and they report a bill accordingly.

